

REMARKS

Claims 1-9 remain pending. Claims 10-12 and 14 are canceled. Applicants have amended claims 1, 5 and 16. Claims 18-20 are withdrawn subject to the pending restriction requirement.

The Office Action requires an election under 35 USC 121 and 372 and an election of single invention.

The Examiner has required restriction between the following groups:

Group I, claim 8, drawn to piperidinyl compounds.

Group II, claims 1-7, 9, 13, 15-17 remaining compounds, drawn to n-2, azepinyl compounds.

Group III, claims 18-19, drawn to method of treating a condition mediated by a tachykinin inhibition.

Applicants hereby provisionally elect to prosecute the claims of Group I.

Applicants do not traverse the restriction, but do reserve the right to request rejoinder in accordance with U.S. restriction practice.

Applicants elect the following compound. Pending claims 1-7 reads on this compound.

[N-(3,5-Dibromo-benzyl)-2-[4-(4-fluoro-phenyl)-1-methyl-piperidin-4-yl]-N-methyl-acetamide

Applicants expressly reserve the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims and any non-prosecuted species.

Applicants respectfully submit that the instant application is in condition for allowance, which action is respectfully requested. The Examiner is invited to contact the undersigned at (919) 483-8160, to discuss this case, if desired.

Respectfully submitted,

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Date: November 24, 2008
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